

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:05-CR-00235-KDB-DCK-12

USA

v.

YANCEY LECALL BANNER

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ORDER

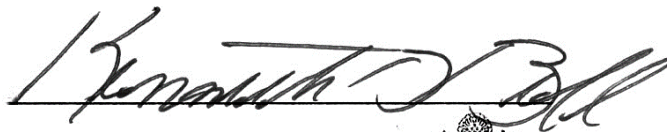
THIS MATTER is before the Court on defendant's *pro se* motion for "jail credit" for time served in custody. (Doc. No. 940).

Defendant's motion is denied. It is the responsibility of the Attorney General, through the Bureau of Prisons, to compute jail credit. *United States v. Stroud*, 584 F. App'x 159, 160 (4th Cir. 2014) (citing *United States v. Wilson*, 503 U.S. 329, 334-35 (1992)). If a defendant is not given the sentencing credit he thinks he deserves, his recourse is first to seek an administrative remedy, 28 C.F.R. § 542.10, and after that to file a petition under 28 U.S.C. § 2241 in the district of confinement.¹ Id.

IT IS, THEREFORE, ORDERED, that the defendant's *pro se* motion for jail credit for time served in custody, (Doc. No. 940), is **DENIED**.

SO ORDERED.

Signed: August 2, 2022



Kenneth D. Bell
United States District Judge



¹ The defendant was sentenced three weeks ago to 15 months imprisonment and is currently in Caldwell County jail in Lenoir, NC, awaiting transfer to a federal prison.